

01-28-02

Patent  
Attorney Docket: 269/021

A



To: Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

## NEW APPLICATION TRANSMITTAL - UTILITY

Sir:

Transmitted herewith for filing is a **utility** patent application:

**Inventor:** Jon St. Germain, Peter T. Keith, Denise Barbut, Steven W. Berhow, and  
Joel R. Munsinger

**Title:** DEVICES AND METHODS FOR CEREBRAL PERFUSION  
AUGMENTATION

### I. PAPERS ENCLOSED HEREWITH FOR FILING UNDER 37 CFR § 1.53(b):

17 Page(s) of Written Description  
10 Page(s) Claims  
1 Page(s) Abstract  
10 Sheets of Drawings  Informal  Formal

### II. ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:

Declaration  
 Power of Attorney  Separate  Combined with Declaration  
 Assignment to CoAxia, Inc. and assignment cover sheet  
 Certified Copy of Priority Document No(s):  
 Information Disclosure Statement w/PTO 1449  Copy of Citations  
 Preliminary Amendment  
 Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach  
form PTO/SB/35  
 Return Postcard  
 Other:

### III. PRIORITY

Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under  
35 U.S.C. § 119.

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#### CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

EV051624420US  
Express Mail Label No.

January 23, 2002  
Date of Deposit

  
Cynthia B. Pacheco

**IV. THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:**

Applicant claims small entity status pursuant to 37 CFR § 1.27

<b>BASIC FILING FEE:</b>						\$740.00
Total Claims	20	-	20	=	0	x \$18.00 \$0.00
Independent Claims	6	-	3	=	3	x \$84.00 \$252.00
Multiple Dependent Claims	\$270	(if applicable)				\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>						\$992.00
Reduction by ½ for Filing by Small Entity, if applicable, as asserted above. Note 37 CFR §§ 1.9, 1.27, 1.28.					<input checked="" type="checkbox"/>	\$496.00
Misc. Filing Fees (Recordation of Assignment -- \$40)						\$40.00
<b>TOTAL FEES DUE HEREWITH</b>						\$536.00

**V. METHOD OF PAYMENT OF FEES**

A check in the amount of \$515.00.  
 Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of \_\_\_\_.  
 This application is being filed without fee or Declaration under 37 CFR § 1.53.

**VI. AUTHORIZATION TO CHARGE FEES**

37 CFR § 1.16 – (Filing fees and excess claims fees)  
 37 CFR § 1.17 – (Any application processing fees)  
 37 CFR § 1.21 – (Assignment recording fees)

**VII. CORRESPONDENCE ADDRESS**

Please send all correspondence to Customer Number 22249:



**22249**

PATENT TRADEMARK OFFICE

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Please direct all inquiries to John Kappos, at the above customer number.

Respectfully submitted,

LYON & LYON LLP

Dated: January 23, 2002

By: John Kappos  
John Kappos  
Reg. No. 38,861  
Attorneys for Applicant

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	ST. GERMAIN et al.
Title	DEVICES AND METHODS FOR CEREBRAL PEFUSION AUGMENTATION
Atty. Docket Number	269/021

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 23, 2002

Date



Signature

John Kappos

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231